

RECREATIONAL THERAPY PRACTICE ACT

58-40-1. Title of act.

This chapter is known as the "Recreational Therapy Practice Act."

58-40-2. Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Approved," when used to refer to a course of education, training, experience, examination, or other licensing requirement, means with approval by the division in collaboration with the board.
- (2) "Assessment" means the use of skilled observation or evaluation by administering and interpreting standardized or nonstandardized tests and measurements to identify areas for recreational therapy services.
- (3) "Board" means the Board of Recreational Therapy.
- (4) (a) "Practice recreational therapy" means to engage in the paid performance of providing therapeutic recreation services according to the therapeutic recreational process to individuals with an emotional, social, intellectual, or physical pathology.
(b) A therapeutic recreational process involves minimum skills for competent practice and includes necessary knowledge to provide the following patient services:
 - (i) assessment of individual needs for therapeutic recreational intervention;
 - (ii) development of an individualized treatment or intervention plan based on assessed interests and needs;
 - (iii) appropriate implementation of therapeutic intervention services;
 - (iv) evaluation and documentation of patient outcomes; and
 - (v) the organization and management of therapeutic recreational services.
- (5) "Treatment or intervention plan" means a written record containing the information required by Section 58-40-7, which is composed for each patient by a person licensed as a master therapeutic recreational specialist or therapeutic recreational specialist under this chapter.
- (6) "Unlawful conduct" as defined in Section 58-1-501 includes the following conduct by any individual who is not licensed under this chapter:
 - (a) advertising or representing himself as being able to teach or conduct a recreational therapy program; or
 - (b) using in connection with his name the initials MTRS, TRS, or TRT, or any term, title, abbreviation, sign, or device relating to the practice of recreational therapy or the licenses under this chapter.
- (7) "Unprofessional conduct" as defined in Section 58-1-501 and as may be further defined by rule includes:
 - (a) failing to supervise a therapeutic recreational technician, a student intern, or temporarily licensed therapeutic recreational specialist when required to do so;
 - (b) failing to keep or maintain a recreational therapy treatment plan;
 - (c) making sexual advances to a patient or requesting of a patient sexual favors, sexual intercourse, or other verbal or physical conduct of a sexual nature;
 - (d) possessing or using illegal or unprescribed prescription drugs or medications;
 - (e) using or being under the influence of intoxicating beverages while performing recreational therapy; or
 - (f) violating Sections 58-40-6 through 58-40-7.

58-40-3. License classifications.

The division shall issue a license to each individual qualified in one of the following classifications:

- (1) master therapeutic recreational specialist;
- (2) therapeutic recreational specialist; or
- (3) therapeutic recreational technician.

58-40-4. Board composition - Duties - Responsibilities.

- (1) There is created a Board of Recreational Therapy. It shall be appointed in accordance with Section 58-1-201.
- (2) The board shall consist of two master therapeutic recreational specialists, one therapeutic recreational specialist, one therapeutic recreational technician, and one member appointed from the general public.
- (3) The board's duties, functions, and responsibilities shall comply with Sections 58-1-202 through 58-1-203.

58-40-5. License requirements.

- (1) The division shall issue a license to practice as a master therapeutic recreational specialist to any applicant who:
 - (a) (i) has completed an approved graduate degree in therapeutic recreation or a graduate degree with an approved emphasis in therapeutic recreation; and
 - (ii) has completed 4,000 hours of paid experience, as defined by division rule made in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, as a licensed therapeutic recreational specialist or as a certified therapeutic recreational specialist certified by the National Council for Therapeutic Recreation Certification;
 - (b) is of good moral character;
 - (c) submits an application;
 - (d) pays the required fee; and
 - (e) passes an approved examination.
- (2) The division shall issue a license to practice as a therapeutic recreational specialist to any applicant who:
 - (a) has completed an approved bachelor's or graduate degree in therapeutic recreation, a bachelor's or graduate degree with an approved emphasis in therapeutic recreation, or a bachelor's or graduate degree with approved additional course work in therapeutic recreation after graduation;
 - (b) has completed an approved practicum;
 - (c) is of good moral character;
 - (d) submits an application;
 - (e) pays the required fee; and
 - (f) passes an approved examination.
- (3) The division shall issue a license to practice as a therapeutic recreational technician to any applicant who:
 - (a) has received a high school diploma or GED equivalent;
 - (b) has completed:
 - (i) an approved educational course in therapeutic recreation taught by a licensed master therapeutic recreational specialist; or
 - (ii) six semester hours or nine quarter hours in therapeutic recreation from an accredited college or university;
 - (c) has completed an approved practicum under the supervision of a licensed master therapeutic recreational specialist or an on-site, full-time employed therapeutic recreational specialist;

- (d) is of good moral character;

- (e) submits an application;
- (f) pays the required fee; and
- (g) passes an approved examination.

58-40-6. Scope of practice.

- (1) A master therapeutic recreational specialist may:
 - (a) practice recreational therapy as an employee of a hospital, clinic, agency, or other facility, in private practice, or as a consultant; and
 - (b) supervise and train other licensees under this chapter.
- (2) A therapeutic recreational specialist may:
 - (a) practice recreational therapy as the employee of a hospital, clinic, agency, or other facility; and
 - (b) supervise other licensees under this chapter.
- (3) A therapeutic recreational technician may:
 - (a) perform recreational therapy services only:
 - (i) under the supervision of a master therapeutic recreational specialist or a therapeutic recreational specialist employed full-time, on-site in the same hospital, clinic, or facility; or
 - (ii) in consultation with a master therapeutic recreational specialist;
 - (b) maintain the ongoing documentation of services provided in accordance with a treatment or intervention plan only:
 - (i) under the supervision of either a master therapeutic recreational specialist or a therapeutic recreational specialist employed full-time, on-site; or
 - (ii) in consultation with a master therapeutic recreational specialist; and
 - (c) not perform assessments or prescribe or modify a treatment or intervention plan or approve or cosign modification to a treatment or intervention plan.

58-40-7. Recreational therapy treatment plans.

- (1) Under this chapter, a recreational therapy treatment or intervention plan shall be maintained for each patient.
- (2) The plan shall include:
 - (a) an assessment based on the strengths, limitations, interests, and needs of the patient;
 - (b) prescribed intervention strategies and approaches;
 - (c) patient goals and measurable treatment or intervention objectives and outcomes; and
 - (d) evaluations of progress and treatment.

58-40-8. Grounds for denial of license and disciplinary proceedings.

Grounds for refusal to issue a license to an applicant, for refusal to renew the license of a licensee, to revoke, suspend, restrict, or place on probation the license of a licensee, to issue a public or private reprimand to a licensee, and to issue cease and desist orders shall be in accordance with Section 58-1-401.

58-40-9. Repealed.

58-40-10. Repealed.

58-40-11. Term of license - Expiration - Renewal.

- (1) Each license issued under this chapter shall be issued in accordance with a

two-year renewal cycle established by rule. A renewal period may be extended or shortened by as much as one year to maintain established renewal cycles or to change an established renewal cycle.

- (2) Each license automatically expires on the expiration date shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

58-40-12. Repealed.

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